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LAND CHARGES ACTS,

1888 and 1900:

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PRACTICAL GUIDE

TO

REGISTRATION AND SEARCHES.

BY

ERNEST W. EATON,

SENIOR CLERK, LAND CHARGES DEPARTMENT, LAND REGISTRY,

AND

J. POYNTZ PURCELL,

OF THE SAME DEPARTMENT,

BARRISTER-AT-LAW.

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PREFACE.

THE Authors, in publishing this small Work, wish particularly to call attention to the fact that it is not intended to be in any sense a general text-book of the law of the various writs, &c., but is meant simply to be a practical guide to those who either—(1) have to register under the Land Charges Registration and Searches Act, 1888, or the Land Charges Act, 1900; or (2) have, before completion of dealings, to make the necessary searches under these Acts. It is hoped that for this purpose the book may be found useful.

March, 1901.

E. W. E.
J. P. P.

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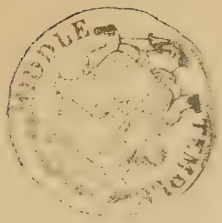

INTRODUCTION.

Land Charges Registration & Searches Act, 1888. Land Charges Act, 1900.

The effect of the Act of 1888, as amended by the Act of 1900, is to gather into one Registry (namely, the Land Charges Department of the Land Registry, 33, Lincoln's Inn Fields), with certain exceptions noted below, all charges which an ordinary abstract of title might fail to disclose, and to make void, as against a purchaser for value, all such charges unless registered under the above Acts, and consequently to render searches elsewhere useless.

The exceptions above referred to are (1) Bankruptcy registrations, which have to be searched for at Bankruptcy Buildings, Carey Street; (2) Charges under the Public Health and similar local Acts, inquiry as to which will have still to be made of the local authorities (*vide Queen* v. *Holt*, p. 10); and (3) Certain statutory charges prior to

1st January, 1889, the Register for which is kept at the Board of Agriculture, 3, St. James's Square.

The Act of 1900 removes to the Land Registry the Registry of Judgments, &c., formerly kept in the Central Office of the Supreme Court, and as from 1st July, 1901, extends the operation of clause 6 of the Act of 1888 to debts due to the Crown, repeals proviso (a), sect. 6, of the Act of 1888, relating to executions registered under the Judgments Act, 1864, and closes for registration the Old Judgments, Crown Debts, and Execution Registers, formerly kept respectively under the Judgments Acts, the Law of Property Amendment Act, and the Crown Suits Act, at the Registry of Judgments of the Central Office, and by sect. 2 makes registration in these books void, and, being retrospective, consequently renders searches therein useless.

It also puts an end immediately to duplicate registration, under the Middlesex Registry Act, 1708, of instruments capable of registration under these Acts. The result of the above is apparently that after 1st July, 1901, the following searches (and those only) will usually have to be made on dealings with land:—(A) At the Land Charges Department, Land

Registry, for (1) writs and orders, (2) deeds of arrangement affecting land, (3) land charges (*i.e.*, statutory charges), (4) *lis pendens*, (5) annuities; (B) at the Board of Agriculture for land charges (*i.e.*, statutory charges) prior to 1st January, 1889; (C) of the local authorities for charges under Public Health and similar local Acts; and (D) in bankruptcy.

It is advisable also to search the index map of the Land Registry, to see that the land has not been registered under the Land Registry Acts.

Of course, in the case of land subject to the Middlesex and Yorkshire Registries and the Counties Palatine, the same searches will be necessary as heretofore, in addition to those above mentioned; and in the case of land, the title to which is registered in the Land Registry, no searches of any kind are necessary except in that office.

Writs and Orders.

The 5th section of the Land Charges Registration and Searches Act, 1888, provides that there shall be established and kept at the office of Land Registry (33, Lincoln's Inn Fields) a register of writs and orders affecting land, and

that there may be registered therein any writ or order affecting land ("land" includes lands, messuages, tenements and hereditaments, corporeal and incorporeal, of *any* tenure) issued or made by any Court for the purpose of enforcing a judgment, statute, or recognizance, and any order appointing a receiver or sequestrator of land; and by sect. 6 every such writ or order, and every delivery in execution, or other proceeding taken in pursuance of such writ or order, or in obedience thereto, shall be void as against a purchaser for value ("purchaser" includes a mortgagee or lessee), unless the writ or order is for the time being registered in pursuance of the Act (*vide* sects. 5 and 6).

Proviso (a) of sect. 6, reserving such powers as there might be in executions registered under 27 & 28 Vict. c. 112, is repealed by the schedule to the Land Charges Act, 1900, and sect. 2 (3) of the last-mentioned Act closes the register for future entries, except such as may be authorized by order of the High Court; and sect. 3 (which is retrospective) brings *every* writ and order affecting land issued or made by any Court for the purpose of enforcing a judgment, whether obtained on behalf of the Crown or otherwise, and whether obtained before or after the commencement of that Act (*i.e.*, 1st July,

1901), and every delivery in execution or other proceeding taken in pursuance of any such writ or order or in obedience thereto, within the scope of sect. 6 of the Land Charges Act, 1888.

"Judgment," it should be remembered, does not include an order by a Court having jurisdiction in bankruptcy in the exercise of that jurisdiction.

Sect. 5 (3) of the Land Charges Registration and Searches Act, 1888, also limits the effect of registration to a period of five years from the date of registration unless re-registered; and (4) makes registration in the Central Office of the Supreme Court of Judicature (*i.e.*, the Registry of Judgments, now amalgamated with the Land Charges Department of the Land Registry) under any other Act unnecessary: this referred to the executions registered under the Judgments Act of 1864 (27 & 28 Vict. c. 112).

Vacation or satisfaction of any entry in this register is provided for by sect. 19 of the Settled Land Act, 1890. See p. 37.

The registrations most usually effected under the above clauses are—

Writs of elegit.
Writs of *fi. fa.*
Writs of extent.

Writs of possession.
Writs of ejectment.
Warrants of execution.
Orders appointing a receiver or sequestrator.
Orders for sale or foreclosure.
Injunctions.
Orders under the Lunacy Act, 1890 and 1891.
Restraining and charging orders, and, generally,
Any writ or order directly affecting *land*.

Orders for payment of money merely cannot be registered; if it be desired to affect land under such an order, execution must issue and be registered accordingly. Bankruptcy receiving orders are exempt from the operation of this Act.

For form of application for registration, see p. 49.

N.B.—The writ or order may have to be produced on requisition.

An office copy of the memorandum of application is obtainable at 3*d.* per folio.

The fees are as follows:—

	For each name.
Registration . . .	2*s.* 6*d.*
Re-registration . . .	1*s.*
Vacating an entry . .	2*s.* 6*d.*

Deeds of Arrangement.

By the Deeds of Arrangement Act, 1887 (50 & 51 Vict. c. 57), it was provided that all deeds of arrangement for the benefit of creditors must, in order to be valid, be registered with the Registrar of the Bills of Sale Department, Supreme Court of Judicature, within seven clear days after the execution thereof. Should the seventh day fall on a Sunday or other day when the Registry was closed, then registration might be effected on the following day; and by Part III. of the Land Charges Act, 1888, after making provision for the registration of these deeds of arrangement in the Land Registry, it is declared (sect. 9) that *every* deed of arrangement, whether made before or after the commencement of the Act (1st January, 1889), shall be *void* as against a person who after the commencement of the Act becomes a purchaser for value of *any land* comprised therein or affected thereby unless and until such deed is registered in the (new) Register (kept in the Land Registry) of Deeds of Arrangement affecting land. The result of this section is that, on a dealing, a search in the Register of Deeds of Arrangement kept in the Bills of Sale Department of the Central Office, Law Courts,

is now unnecessary. It will be noticed that there is no limit of time within which registration under this Act must be effected.

For the statutory definition of a deed of arrangement, *vide* the extract from the Deeds of Arrangement Act, 1887, sect. 4, p. 33.

Registrations can only be vacated by an order of the High Court of Justice or a judge thereof.

For form of application for registration, see p. 50.

N.B.—The deed itself has not to be produced, nor is any note made thereon as to registration, but an office copy of the memorandum of application is obtainable at 3*d.* per folio.

The fees are as follows :—

	For each name.
Registration . . .	2*s.* 6*d.*
Vacating an entry . .	2*s.* 6*d.*

Land Charges.

"Land charge," as defined by sect. 4 of the Land Charges Registration and Searches Act, 1888, means a rent or annuity or principal moneys payable by instalments or otherwise, with or without interest charged otherwise than

by deed, upon land under the provisions of any Act of Parliament for securing to any person either the moneys spent by him, or the costs, charges and expenses incurred by him under such Act, or the moneys advanced by him for repaying the money spent, or the costs, charges and expenses incurred by another person under the authority of an Act of Parliament, and a charge under the 35th section of the Land Drainage Act, 1861, or under the 29th section of the Agricultural Holdings (England) Act, 1883, but does not include a rate or scot.

A land charge may be registered (1) in the case of freehold land in the name of the person beneficially entitled to the first estate of freehold at the time of the creation of the land charge; (2) In the case of copyhold land in the name of the tenant on the court rolls at the time of the creation of the land charge. Provided that where the person by or on behalf of whom the application was made, pursuant to which the land charge was created, was beneficially entitled to a lease for lives or a life at a rent or to a term of years, the land charge is to be registered also in the name of that person. Though Act of Parliament is defined as including local and personal Acts, it has been decided (on the wording of sect. 10 of this Act)

that no land charge is required to be registered except one created upon an application. This was laid down in the case of *Queen* v. *Holt* (1889), L. R. 24 Q. B. D. p. 179. Enquiries as to local charges (other than those created upon an application) should be made of the local authorities.

A land charge created after 1st January, 1889, is void as against a purchaser for value of the land charged therewith, or of any interest in such land unless and until such land charge is registered in the Land Charges Department of the Land Registry. A registration of a land charge may be vacated only in one way, namely, pursuant to an order of the High Court of Justice or any judge thereof. The Registrar has no power to vacate an entry without such an order.

Section 13 of the Land Charges Act, 1888, declares that after the expiration of one year from the first assignment by act *inter vivos* occurring after the commencement of the Act (that is, 1st January, 1889), of a land charge created before the commencement of the Act, the person entitled thereto shall not be able to recover the same or any part thereof as against a purchaser for value of the land charged therewith, or of any interest in such land, unless

such land charge is registered in the Land Charges Department of the Land Registry prior to the completion of the purchase.

By the Finance Act, 1896, s. 33 (a), it is provided that a certificate of charge granted by the Commissioners of Inland Revenue on redemption of land tax shall have the effect of a mortgage, and shall, when registered under the Land Charges Act, 1888, have priority over all other charges and incumbrances. See p. 40.

A charge under the corresponding provisions of the Finance Act, 1894, s. 9, sub-s. 6, has also been tendered for registration under the Land Charges Registration and Searches Act, 1888, and has been accepted; but unless such a charge can be regarded as a "land charge" within the definition in sect. 4 of the latter Act, there seems little reason to suppose that such registration is necessary.

Land charges can be created under numerous Acts; the following are the most common:—

Land Loan and Enfranchisement Companies Act, 1860.
Board of Agriculture Acts.
Limited Owners Residences Acts, 1870-1.
Improvement of Land Acts, 1864 and 1899.
Finance Act, 1896, s. 33.
Settled Land Acts, 1882—1890.

General Land Drainage and Improvement Companies Act, 1849.

Limited Owners Reservoirs and Water Supply Further Facilities Act, 1877.

Agricultural Holdings (England) Act, 1883.

The Register of Land Charges kept at the office of Land Registry under the Improvement of Land Act, 1864, is now (by the Improvement of Land Act, 1899, sect. 5) closed both for registration and searches except under an order of the Court. See p. 41.

These charges being limited by sect. 26 of the Improvement of Land Act, 1864, to a period not exceeding twenty-five years, and clause 12 of the Land Charges Registration and Searches Act, 1888, not being retrospective, it will for some time to come be necessary (where the vendor was in possession prior to 1st January, 1889) to search at the office of the Board of Agriculture, 8, St. James's Square, for charges created prior to that date.

For form of application for registration, see p. 51.

N.B.—It may be necessary to produce the absolute order or certificate; no note is made thereon as to registration. If evidence of registration is required an

office copy of the application to register can be obtained at 3*d.* per folio.

The fees are as follows:—

	For each name.
Registration . . .	2*s.* 6*d.*
Vacating an entry . .	2*s.* 6*d.*

Lis Pendens.

A "*Lis Pendens*" for registration purposes is an action the subject-matter of which is *land*, or an *interest in land*, and such a *lis pendens* is not binding on a purchaser of the land or interest in dispute (without express notice thereof) until the same is registered; and registration of a *lis pendens* ceases to have effect after five years from the date of its entry unless re-registered. *Vide* 2 & 3 Vict. c. 11, ss. 4 and 7; see p. 25.

A mere action for recovery of money does not for purposes of registration constitute a *lis pendens*.

A *lis pendens* improperly registered can be discharged by order of the Court obtained in a summary manner, with costs. See below.

Registration of a *lis pendens* does not create a charge on the land, but it is incumbent on every purchaser, on finding a *lis pendens* regis-

tered against his vendor, to make inquiries as to the proceedings in the action, since a decision adverse to his vendor might seriously prejudice his own interest.

The following is a list of what are usually registered in the Register of *Lis Pendens*, when there is an interest as above :—

Summons issued out of any Division of the High Court or Counties Palatine.

Plaint issued out of Chancery Mayor's Court.

County Court Plaints.

Summons for Charging Order under Solicitors Act, 23 & 24 Vict. c. 127, s. 28. See p. 28.

* Orders under Settled Land Act, 47 & 48 Vict. c. 18, s. 7. See p. 31.

Filing of a special case, under 13 & 14 Vict. c. 35, has also been registered.

Notice of Motion filed in Bankruptcy under the Bankruptcy Acts.

The section of the Joint Stock Companies Winding-up Act, 1848 (constituting a petition for winding-up and dissolution a *lis pendens*), was repealed by 30 & 31 Vict. c. 47, which also provides for the discharge in a summary manner of a *lis pendens* improperly registered. *Vide* p. 29.

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* Registration under this section must be made against the trustees individually, described as "Trustees for purposes of the Settled Land Act."

As to re-registration, 2 & 3 Vict. c. 11, ss. 4 and 7, makes all registration void after the expiration of five years from the date of the entry unless a like memorandum is again filed, which is to be entered in like manner as the same was originally entered.

N.B.—It may be necessary to produce the statement of claim on registration of a *lis pendens*.

In the event of evidence of registration being required, an office copy of the application to register can be issued at a fee of 3*d.* per folio.

For form of application for registration, see p. 53.

For instructions as to entering up satisfactions or vacating an entry, see p. 17.

The fees are as follows:—

	For each name.
Registration . . .	2*s.* 6*d.*
Re-registration . . .	1*s.*
Entering up satisfaction .	2*s.* 6*d.*

Annuities, &c.

18 Vict. c. 15, s. 12 (see p. 27), provided that annuities or rent-charges granted after the passing of the Act, 26th April, 1855, otherwise

than by marriage settlement, for one or more life or lives, or for any term of years or greater estate determinable on one or more life or lives, should not affect any lands, tenements, or hereditaments as to purchasers, mortgagees, or creditors until registered as therein prescribed. And by sect. 14 annuities and rent-charges given by will are excepted from registration.

Perpetual rent-charges do not come within the scope of the Act. A purchaser must rely on his abstract for notice of these.

Registration when once effected remains in force until "satisfied"; this is done by the form of satisfaction being signed by the grantee or grantees in the presence of a solicitor. See p. 17.

For form of application for registration, see p. 52.

N.B.—The deed itself has not to be produced, nor is any note made thereon.

If evidence of registration is required, an office copy of the application to register can be obtained at 3*d.* per folio.

The fees are as follows:—

	For each name.
Registration . . .	2*s.* 6*d.*
Satisfaction . . .	2*s.* 6*d.*

Satisfactions.

Writs and orders, deeds of arrangement affecting land and land charges can only be marked vacated or satisfied on the order of the High Court of Justice or of a judge thereof. This is usually obtained on summons, but is occasionally granted upon an *ex parte* application before the judge in Chambers, and the order to vacate or satisfy should be as follows:—"Ordered that the writ (Order, Deed of Arrangement, or Land Charge) registered on the day of in the Register of Writs and Orders (Deeds of Arrangement or Land Charges) kept in the Land Registry in name of be vacated (satisfied)."

Entry of satisfaction in the Register of Annuities or of *Lis Pendens* can be made by virtue of 22 & 23 Vict. c. 115, in form (see p. 55) signed by the grantee or plaintiff, or by the order of the High Court or of a judge thereof, as explained above, in the case of writs, &c. Such order should be a "Judge's Order"; a "Master's Order" will not be accepted.

The registration of a *lis pendens* can also be satisfied by an order on petition to the Chancery Division.

When the form of satisfaction (p. 55) is used the following notes may be useful :—

1. When there are one or more plaintiffs (or grantees of an annuity) the signatures of the majority will be acted on, and when two only the signature of one, if signed on behalf of himself and the other plaintiff[s] (or grantee[s]). The same rule applies to the case of co-partners.

2. When the satisfaction has to be signed by a company, society or corporation, the seal of the company, society or corporation must be affixed to the form in accordance with the articles, together with the signature and description of the usual officer or officers whose duty it is to witness the affixing of the seal.

3. In case of the death of a plaintiff or grantee the executor must also sign as executor and prove his title, unless the surviving plaintiff or grantee, if there be one, can sign on his behalf and also for the representative of the deceased.

4. All acknowledgments of satisfaction must be according to the form given in the Act, 23 & 24 Vict. c. 115 (see p. 55), which, presumably to prevent plaintiffs or grantees signing in ignorance of the effect, requires attestation by a solicitor. That this was the

purpose of the attestation may be gathered from the fact that it has always been the practice to allow acknowledgments of satisfaction, when the plaintiff or grantee is himself a solicitor, to be attested by a responsible person.

5. Where an order is made to satisfy or vacate a registration subject to some condition mentioned in the order, proof that these conditions have been complied with must be given before the necessary entry can be made.

6. When a *lis pendens* has been registered against a plaintiff, the acknowledgment of satisfaction must be signed by the defendant.

For form of acknowledgment of satisfaction, see p. 55.

Fee for vacation or satisfaction, 2*s.* 6*d.* for each name.

Judgments, Crown Debts, and Executions.

Sect. 2 (1) and (2) of the Land Charges Act, 1900, disposes of a question which the Land Charges Registration and Searches Act, 1888, left open—the question as to the possible value of registration in the case of a judgment or Crown debt—by declaring that such registration shall not operate as a charge on the

land, &c., unless and until a writ or order for the purpose of enforcing it has been registered under sect. 5 of the Land Charges Registration and Searches Act, 1888 (p. 36), and being retrospective in effect makes a search for judgments, Crown debts, &c., useless.

Sect. 2 (3) of the Land Charges Act, 1900, closes for registration the old registers of judgments, Crown debts, and executions—entries only being permitted under an order of the High Court. This will enable an individual against whom entries have from time to time been made in any of the closed registers to have them satisfied, vacated, or expunged; but as the necessity for making a search in those registers will have ceased, it seems improbable that many persons will avail themselves of this power.

Sect. 3 of the same Act expressly extends the operation of sect. 6 of the Land Charges Registration and Searches Act, 1888, to executions registered under 27 & 28 Vict. c. 112, and applies it to the Crown, and being retrospective makes a search for executions in that register unnecessary; while the proviso to sect. 6 of the Act of 1888, to the effect that nothing in the section shall affect the operation of such writ or order until the expiry of the

period for which it was so registered, is repealed in the Schedule.

Searches.

The searches usually made in the Land Charges Department, Land Registry, are as follows:—

Register of writs and orders, last five years.
Register of deeds of arrangement, commencing 1st January, 1889.
Register of land charges, commencing 1st January, 1889.
Register of *lis pendens*, last five years.
Register of annuities, commencing April, 1855.

Searches can also be made for judgments and Crown debts for the last five years, and for executions from 1864 to 30th June, 1901, when these registers are closed for registration; but as to these, *vide* pp. 2 and 20. Searches can be made under the Improvement of Land Act, 1864, by order of the Court only, but the better course is to make the search (in cases where it is thought necessary) at the Board of Agriculture.

Official searches in the above registers (except that under the Improvement of Land Act) are made, and office copy certificates issued, under

the provisions of the Conveyancing Act, 1882. See p. 29.

Full instructions as to obtaining these are printed on the forms. *Vide* pp. 57 and 58.

For fees on searches official and other, *vide* p. 59.

MISCELLANEOUS.

Extent of Acts.—Scotland and Ireland are excluded from the operation of the Land Charges Registration and Searches Act, 1888, and the Land Charges Act, 1900, England and Wales alone coming within their provisions.

Land.—Includes lands, messuages, tenements, and hereditaments corporeal and incorporeal of *any* tenure (definition in Act of 1888). Shares in the New River Company, Avon Canal, and Bath Navigation Companies, being reckoned as real property, would come within this definition.

Forms.—These are supplied by any law stationer, or can be obtained from the Inland Revenue Department of the Land Registry at a charge of 1*d.* each.

Registration.—All applications to register must either be signed by a solicitor, or a statutory declaration (for form *vide* p. 56) must accompany the same. (Rule 2.)

An order to vacate does not come within this rule, and may be filed by the applicant without further authentication.

Evidence.—Where evidence of registration is required it is usual to bespeak an office copy of the application to register; but, if desired, an official extract from the register under the Law of Evidence Act (p. 26) can be supplied at 3*d.* per folio.

Satisfactions.—When evidence of satisfaction being entered is required, a certificate of satisfaction can be bespoken under 23 & 24 Vict. c. 115. Fee, 1*s.*

Modification *or* **Cancellation.**—In any case of modification or cancellation of entries on the register, such evidence as the registrar from time to time thinks necessary is required. See General Rules under the Land Charges Registration and Searches Act, 1888, p. 45. In practice, however, it is more usual to obtain an order of the Court or of a judge thereof.

Office Hours.—For registration, 11 to 3; other business, 10 to 4. Saturdays—registration, 11 to 2; other business, 10 to 2.

The office is open to the public on all days between the above hours, except Sundays, Good Friday, Easter Eve, Monday and Tuesday in Easter week, Whit Monday, Christmas Day, and the next following working day, and all days appointed by Proclamation to be observed as days of general fast, humiliation, or thanksgiving.

STATUTES.

The Judgments Act, 1839.

2 & 3 Vict. c. 11, s. 7.

No *lis pendens* shall bind a purchaser or mortgagee without express notice thereof, unless and until a memorandum or minute, containing the name and the usual or last known place of abode, and the title, trade, or profession of the person whose estate is intended to be affected thereby, and the Court of Equity, and the title of the cause or information, and the day when the bill or information was filed, shall be left with the senior master of the said Court of Common Pleas [now the memorandum is filed in the Land Registry], who shall forthwith enter the same particulars in a book as aforesaid, in alphabetical order, by the name of the person whose estate is intended to be affected by such *lis pendens* . . . And the provisions hereinbefore contained in regard to the re-entering of judgments every five years . . . shall extend to every case of *lis pendens* which shall be registered under the provisions of this Act.

An Act to facilitate the admission in Evidence of certain Official and other Documents, 1845.

8 & 9 Vict. c. 113, s. 1.

1. . . . Whenever by any Act now in force or hereafter to be in force any certificate, official or public

document, or document or proceeding of any corporation or joint stock or other company, or any certified copy of any document, bye-law, entry in any register or other book, or of any other proceeding, shall be receivable in evidence of any particular in any court of justice, or before any legal tribunal, or either House of Parliament, or any committee of either House, or in any judicial proceeding, the same shall respectively be admitted in evidence, provided they respectively purport to be sealed or impressed with a stamp, or sealed and signed, or signed alone, as required, or impressed with a stamp and signed, as directed by the respective Acts made or to be hereafter made, without any proof of the seal or stamp, where a seal or stamp is necessary, or of the signature or of the official character of the person appearing to have signed the same, and without any further proof thereof, in every case in which the original record could have been received in evidence.

The Evidence Act, 1851.

14 & 15 Vict. c. 99, s. 14.

Whenever any book or other document is of such a public nature as to be admissible in evidence on its mere production from the proper custody, and no statute exists which renders its contents provable by means of a copy, any copy thereof or extract therefrom shall be admissible in evidence in any court of justice, or before any person now or hereafter having by law or by consent of the parties authority to hear, receive and examine evidence, provided it be proved to be an examined copy or extract, or provided it purport to be signed and certified as a true copy or extract by the

officer to whose custody the original is entrusted, and which officer is hereby required to furnish such certified copy or extract to any person applying at a reasonable time for the same. . . .

The Judgments Act, 1855.

18 Vict. c. 15, ss. 12 and 14.

And whereas by reason of the repeal in the last session of Parliament of the Act of the fifty-third year of King George the Third, chapter one hundred and forty-one, requiring the enrolment of life annuities or rent-charges, purchasers are no longer enabled to ascertain by search what life annuities or rent-charges may have been granted by their vendors or others: Be it therefore enacted by the authority aforesaid as follows: Any annuity or rent-charge granted after the passing of this Act, otherwise than by marriage settlement, for one or more life or lives, or for any term of years or greater estate determinable on one or more life or lives, shall not affect any lands, tenements or hereditaments as to purchasers, mortgagees or creditors, unless and until a memorandum or minute containing the name, and the usual or last known place of abode, and the title, trade or profession of the person whose estate is intended to be affected thereby, and the date of the deed, bond, instrument or assurance whereby the annuity or rent-charge is granted, and the annual sum or sums to be paid . . . forthwith enter the particulars aforesaid in a book, in alphabetical order, by the name of the person whose estate is intended to be affected by the annuity or rent-charge, together with the year and the day of the month when every such memorandum or

minute is so left . . . And all persons shall be at liberty to search the same book, together with the other books and registers in the office. . . .

14. The provisions of this Act shall not extend to require the registry of annuities or rent-charges given by will.

The Solicitors Act, 1860.

23 & 24 Vict. c. 127, s. 28.

In every case in which an attorney or solicitor shall be employed to prosecute or defend any suit, matter, or proceeding in any court of justice, it shall be lawful for the Court or Judge before whom any such suit, matter, or proceeding has been heard, or shall be depending, to declare such attorney or solicitor entitled to a charge upon the property recovered or preserved; and upon such declaration being made such attorney or solicitor shall have a charge upon and against and a right to payment out of the property, of whatsoever nature, tenure, or kind the same may be, which shall have been recovered or preserved through the instrumentality of any such attorney, or solicitor, for the taxed costs, charges, and expenses of or in reference to such suit, matter, or proceeding; and it shall be lawful for such Court or Judge to make such order or orders for taxation of and for raising and payment of such costs, charges, and expenses out of the said property as to such Court or Judge shall appear just and proper; and all conveyances and acts done to defeat, or which shall operate to defeat, such charge or right, shall, unless made to a *bonâ fide* purchaser for value without notice, be absolutely void and of no effect as against such charge or right. . . . .

An Act to Simplify and Amend the Practice as to the Entry of Satisfactions on Crown Debts and on Judgments.

30 & 31 Vict. c. 47, s. 2.

Whereas a registered *lis pendens* cannot be vacated without the consent of the person by whom it was registered, and such consent is sometimes withheld, although the suit or proceeding is at an end, or is not being *bonâ fide* prosecuted: For remedy whereof be it enacted, that the Court before whom the property sought to be bound is in litigation may, upon the determination of the *lis pendens*, or during the pendency thereof, where the Court shall be satisfied that the litigation is not prosecuted *bonâ fide*, make an order, if it shall see fit, for the vacating of the registration without the consent of the party who registered it, and may, in the discretion of the Court, direct the party on whose behalf the registration was made to pay all the costs and expenses occasioned by the registration or the vacating thereof. The application to the Court pending the litigation may be in a summary way by petition or motion in Court, or by summons at chambers. . . .

Conveyancing Act, 1882.

45 & 46 Vict. c. 39, s. 2.

(1) Where any person requires, for purposes of this section, searches to be made in the Central Office of the Supreme Court of Judicature for entries of judgments, deeds or other matters or documents, whereof entries are required or allowed to be made in that office by any

Act described in Part I. of the First Schedule to the Conveyancing Act of 1888, or by any other Act, he may deliver in the office a requisition in that behalf, referring to this section.

(2) Thereupon the proper officer shall diligently make the search required, and shall make and file in the office a certificate setting forth the result thereof; and office copies of that certificate shall be issued on requisition, and an office copy shall be evidence of the certificate.

(3) In favour of a purchaser, as against persons interested under or in respect of judgments, deeds, or other matters or documents, whereof entries are required or allowed as aforesaid, the certificate, according to the tenour thereof, shall be conclusive, affirmatively or negatively, as the case may be.

(4) Every requisition under this section shall be in writing, signed by the person making the same, specifying the name against which he desires search to be made, or in relation to which he requires an office copy certificate of result of search, and other sufficient particulars; and the person making any such requisition shall not be entitled to a search, or an office copy certificate, until he has satisfied the proper officer that the same is required for the purposes of this section.

(5) General rules shall be made for purposes of this section; prescribing forms and contents of requisitions and certificates and regulating the practice of the office, and prescribing, with the concurrence of the Commissioners of Her Majesty's Treasury, the fees to be taken therein. . . .

(6) If any officer, clerk, or person employed in the office commits, or is party or privy to, any act of fraud or collusion, or is wilfully negligent, in the making of or

otherwise in relation to any certificate or office copy under this section, he shall be guilty of a misdemeanour.

(7) Nothing in this section or in any rule made thereunder shall take away, abridge or prejudicially affect any right which any person may have independently of this section to make any search in the office; and every such search may be made as if this section or any such rule had not been enacted or made.

(8) Where a solicitor obtains an office copy certificate of result of search under this section, he shall not be answerable in respect of any loss that may arise from error in the certificate.

(9) Where the solicitor is acting for trustees, executors, agents, or other persons in a fiduciary position, those persons also shall not be so answerable.

(10) Where such persons obtain such an office copy without a solicitor they shall also be protected in like manner.

Settled Land Act, 1884.

47 & 48 Vict. c. 18, s. 7.

With respect to the powers conferred by section sixty-three of the Act of 1882, the following provisions are to have effect:—

(i) Those powers are not to be exercised without the leave of the Court.

(ii) The Court may by order, in any case in which it thinks fit, give leave to exercise all or any of those powers, and the order is to name the person or persons to whom leave is given.

(iii) The Court may from time to time rescind or vary, any order made under this section, or may make any new or further order.

(iv) So long as an order under this section is in force, neither the trustees of the settlement, nor any person other than a person having the leave, shall execute any trust or power created by the settlement, for any purpose for which leave is by the order given, to exercise a power conferred by the Act of 1882.

(v) An order under this section may be registered and re-registered, as a *lis pendens*, against the trustees of the settlement named in the order, describing them on the register as "Trustees for the purposes of the Settled Land Act, 1882."

(vi) Any person dealing with the trustees from time to time, or with any other person acting under the trusts or powers of the settlement, is not to be affected by an order under this section, unless and until the order is duly registered and when necessary re-registered as a *lis pendens*.

(vii) An application to the Court under this section may be made by the tenant for life, or by the persons who together constitute the tenant for life, within the meaning of section sixty-three of the Act of 1882.

(viii) An application to rescind or vary an order, or to make any new or further order under this section, may be made also by the trustees of the settlement, or by any person beneficially interested under the settlement.

(ix) The person or persons to whom leave is given by an order under this section, shall be deemed the proper person or persons to exercise the powers conferred by section sixty-three of the

Act of 1882, and shall have, and may exercise those powers accordingly.

(x) This section is not to affect any dealing which has taken place before the passing of this Act, under any trust or power to which this section applies.

Deeds of Arrangement Act, 1887.

50 & 51 Vict. c. 57.

4.—(1) This Act shall apply to every deed of arrangement, as defined in this section, made after the commencement of this Act.

(2) A deed of arrangement to which this Act applies shall include any of the following instruments, whether under seal or not, made by, for, or in respect of the affairs of a debtor for the benefit of his creditors generally (otherwise than in pursuance of the law for the time being in force relating to bankruptcy), that is to say:—

(a) An assignment of property;

(b) A deed of or agreement for a composition; and in cases where creditors of a debtor obtain any control over his property or business:—

(c) A deed of inspectorship entered into for the purpose of carrying on or winding up a business;

(d) A letter of licence authorising the debtor or any other person to manage, carry on, realise, or dispose of a business, with a view to the payment of debts; and

(e) Any agreement or instrument entered into for the purpose of carrying on or winding up the

debtor's business, or authorising the debtor or any other person to manage, carry on, realise or dispose of the debtor's business, with a view to the payment of his debts.

Land Charges Registration and Searches Act, 1888.

51 & 52 Vict. c. 51.

An Act for registering certain Charges on Land, and for facilitating Searches for them.

[24th December, 1888.]

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Part I.—Introductory.

1. This Act may be cited as the Land Charges Registration and Searches Act, 1888.

2. This Act shall come into operation on the first day of January one thousand eight hundred and eighty-nine, which day is in this Act referred to as the commencement of this Act: Provided that any rules under this Act may be made, and any other thing for the purpose of bringing this Act into operation may be done, at any time after the passing thereof, but any such rules or thing shall not take effect until the commencement of this Act.

3. This Act shall not extend to Scotland or Ireland.

4. In this Act:

"Land" includes lands, messuages, tenements, and

hereditaments corporeal and incorporeal of any tenure.

"Purchaser for value" includes a mortgagee or lessee, or other person who for valuable consideration takes any interest in land or in a charge on land, and "purchase" has a meaning corresponding with purchaser.

"Person" includes a body of persons corporate or unincorporate.

"Prescribed" means prescribed by any general rules made in pursuance of this Act.

"Act of Parliament" includes local and personal Act.

"Land charge" means a rent or annuity or principal moneys payable by instalments, or otherwise, with or without interest charged, otherwise than by deed, upon land, under the provisions of any Act of Parliament, for securing to any person either the moneys spent by him or the costs, charges, and expenses incurred by him under such Act, or the moneys advanced by him for repaying the moneys spent, or the costs, charges, and expenses incurred by another person under the authority of an Act of Parliament, and a charge under the thirty-fifth section of the Land Drainage Act, 1861, or under the twenty-ninth section of the Agricultural Holdings (England) Act, 1883, but does not include a rate or scot.

"Deed of arrangement" has the same meaning as in the Deeds of Arrangement Act, 1887.

"Judgment" does not include an order made by a Court having jurisdiction in bankruptcy in the exercise of that jurisdiction, but, save as aforesaid, includes any order or decree having the effect of a judgment.

Part II.—Registration of Writs and Orders affecting Land.

5.—(1.) There shall be established and kept at the Office of Land Registry a register of writs and orders affecting land, and there may be registered therein, in the prescribed manner, any writ or order affecting land issued or made by any Court for the purpose of enforcing a judgment, statute, or recognizance, and any order appointing a receiver or sequestrator of land.

(2.) Every entry made in pursuance of this section shall be made in the name of the person whose land is affected by the writ or order registered.

(3.) The registration of a writ or order in pursuance of this Act shall cease to have effect at the expiration of five years from the date of the registration, but may be renewed from time to time, and, if renewed, shall have effect for five years from the date of the renewal.

(4.) Registration of a writ or order in pursuance of this section shall have the same effect as, and make unnecessary, registration thereof in the Central Office of the Supreme Court of Judicature in pursuance of any other Act.

6. Every such writ and order as is mentioned in section five, and every delivery in execution or other proceeding taken in pursuance of any such writ or order, or in obedience thereto, shall be void as against a purchaser for value of the land unless the writ or order is for the time being registered in pursuance of this Act.

Provided that—

(*a*) *where the writ or order is at the commencement of this Act registered in pursuance of the Act of the*

session held in the twenty-seventh and twenty-eighth years of Her Majesty, chapter one hundred and twelve, intituled "An Act to amend the law relating to future judgments, statutes, and recognizances," nothing in this section shall affect the operation of such writ or order until the expiry of the period for which it is so registered;

Repealed by sect. 5 of the Land Charges Act, 1900.

(b) where the proceeding in which the writ or order was issued or made is for the time being registered as a *lis pendens* in the name of the person whose land is affected by the writ or order, nothing in this section shall affect the operation of such registration.

The registration of a writ or order affecting land may be vacated pursuant to an order of the High Court or any judge thereof. (Settled Land Act, 1890, s. 19.)

Part III.—Registration of Deeds of Arrangement.

7. A register (in this Act called the register of deeds of arrangement affecting land) shall be kept at the Office of Land Registry, and deeds of arrangement may be registered therein, in the prescribed manner, in the name of the debtor.

8. A deed of arrangement may be registered in the register of deeds of arrangement affecting land on the application of a trustee of the deed, or of a creditor assenting to or taking the benefit of the deed, and the registration may be vacated pursuant to an order of the High Court of Justice or any judge thereof.

9. Every deed of arrangement, whether made before or after the commencement of this Act, shall be void as against a person who, after the commencement of this Act, becomes a purchaser for value of any land comprised therein or affected thereby, unless and until such deed is registered in the register of deeds of arrangement affecting land: Provided that nothing in this section shall affect any deed of arrangement made before the commencement of this Act until the expiration of one year from the commencement of this Act if registered within that year.

Part IV.—Registration of Land Charges.

10. A register, in this Act called the register of land charges, shall be kept at the Office of Land Registry, and land charges may be registered therein in the prescribed manner:—

(1) In the case of freehold land, in the name of the person beneficially entitled to the first estate of freehold at the time of the creation of the land charge:

(2) In the case of copyhold land, in the name of the tenant on the court rolls at the time of the creation of the land charge.

Provided that where the person by or on behalf of whom the application was made pursuant to which the land charge was created was beneficially entitled to a lease for lives or a life at a rent or to a term of years the land charge shall be registered also in the name of that person.

11. The expenses incurred by the person entitled to a land charge created before the commencement of this Act in causing the charge to be registered in the register of land charges shall be deemed to form part of such land charge, and shall be recoverable by him accordingly on the day for payment of any part of such land charge next after such expenses are incurred.

12. A land charge created after the commencement of this Act shall be void as against a purchaser for value of the land charged therewith, or of any interest in such land, unless and until such land charge is registered in the register of land charges in the manner mentioned in this Act.

13. After the expiration of one year from the first assignment by act *inter vivos*, occurring after the commencement of this Act, of a land charge created before the commencement of this Act, the person entitled thereto shall not be able to recover the same, or any part thereof, as against a purchaser for value of the land charged therewith or of any interest in such land, unless such land charge is registered in the registry of land charges in the manner mentioned in this Act prior to the completion of the purchase.

14. The registration of a land charge may be vacated pursuant to an order of the High Court of Justice or any judge thereof.

Part V.—Supplemental.

15. An alphabetical index in the prescribed form shall be kept at the Office of Land Registry of all entries made in any register kept at that office pursuant to this Act.

16. Any person may search in any register or index kept in pursuance of this Act on paying the prescribed fee.

17. The provisions as to searches in the Central Office, requisitions, certificates, officers, clerks, persons, and for the protection of solicitors, trustees, agents, and other persons in a fiduciary position contained in the second section to the Conveyancing Act, 1882, except so much of those provisions as relates to the making of general rules, shall apply to searches in any register or index kept in pursuance of this Act in the register of *lis pendens*, the register of deeds of arrangement affecting land, and the register of land charges, in the same manner as if this Act had been described in Part I. of the First Schedule to the Conveyancing and Law of Property Act, 1881.

18. The Lord Chancellor may at any time after the passing of this Act, and from time to time, with the concurrence of the Commissioners of Her Majesty's Treasury as to fees, make such general rules as may be required for carrying this Act into effect.

Finance Act, 1896.

59 & 60 Vict. c. 28, s. 33.

(a) Where an owner redeems under this Act land tax upon any land by payment of a capital sum, the Commissioners of Inland Revenue, in accordance with the prescribed regulations, shall, on his application at the date of the redemption, grant to him a certificate charging the land with the amount of that sum, and with interest equal to the amount of the land tax

redeemed, and he shall be entitled to the charge as if it were a mortgage secured to him by a mortgage deed, and such charge, when the certificate is registered in pursuance of the Land Charges Registration and Searches Act, 1888, shall have priority over all other charges and encumbrances, and any money authorised to be invested in real security may be invested on the security of any such charge.

Improvement of Land Act, 1899.

62 & 63 Vict. c. 46, s. 5.

(1) So much of sect. 56 of the principal Act (Improvement of Land Act, 1864) as requires a memorial of any absolute order creating a rent-charge on land in England or Wales to be registered at the office of the Land Registry in England is hereby repealed.

(2) Except under an express order of the High Court, no entry or search shall be made in any register kept at the office of the Land Registry under sect. 56 or sect. 69 of the principal Act.

Land Charges Act, 1900.

63 & 64 Vict. c. 26.

An Act to amend the Law relating to Charges on Land and to matters connected therewith.

[30th July, 1900.

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present

Parliament assembled, and by the authority of the same, as follows:—

1.—(1.) The business of the registrar of judgments hitherto conducted in the central office of the Supreme Court shall be conducted in the Office of Land Registry, and the Lord Chancellor may by order provide for transferring to the Office of Land Registry such officers as may be required for conducting that business, and such books and papers as may be needed in connexion therewith, and for carrying out any arrangements incidental to or consequential on the transfer, and for abolishing the office of registrar of judgments.

(2.) Provided that nothing in this section shall apply to the registry of Scotch and Irish judgments established under the Judgments Extension Act, 1868, and the Inferior Courts Judgments Extension Act, 1882, or any Act amending the same.

(3.) This section shall come into operation on such day as the Lord Chancellor at any time after the passing of this Act may by order direct.

2.—(1.) A judgment or recognizance, whether obtained or entered into on behalf of the Crown or otherwise, and whether obtained or entered into before or after the commencement of this Act, shall not operate as a charge on land, or on any interest in land, or on the unpaid purchase money for any land, unless or until a writ or order for the purpose of enforcing it is registered under section five of the Land Charges Registration and Searches Act, 1888.

(2.) This section shall apply to any inquisition finding a debt due to the Crown, and any obligation or specialty made to the Crown, and any acceptance of office from or

under the Crown, whatever may have been its date, in like manner as it applies to a judgment.

(3.) Except under an order of the High Court, no entry shall be made in any register kept under sections nineteen and twenty-one of the Judgments Act, 1838, section eight of the Judgments Act, 1839, the Law of Property Amendment Act, 1860, the Judgments Act, 1864, or the Crown Suits, &c. Act, 1865.

3. Section six of the Land Charges Registration and Searches Act, 1888, shall apply to every writ and order affecting land issued or made by any court for the purpose of enforcing a judgment, whether obtained on behalf of the Crown or otherwise, and whether obtained before or after the commencement of this Act, and to every delivery in execution or other proceeding taken in pursuance of any such writ or order, or in obedience thereto.

4. From and after the passing of this Act the Middlesex Registry Act, 1708, shall not apply to any instrument made after the passing of this Act and capable of registration under this Act or the Land Charges Registration and Searches Act, 1888.

5. As from the commencement of this Act the enactments specified in the schedule to this Act are hereby repealed to the extent mentioned in the third column of that schedule.

6.—(1.) This Act shall not extend to Scotland or Ireland.

(2.) This Act shall, except as otherwise expressly provided, come into operation on the first day of July one thousand nine hundred and one.

(3.) This Act may be cited as the Land Charges Act, 1900, and shall be construed as one with the Land Charges Registration and Searches Act, 1888.

SCHEDULE.

Enactments Repealed.

Session and Chapter.	Title or Short Title.	Extent of Repeal.
1 & 2 Vict. c. 110.	The Judgments Act, 1838.	Section nineteen, and section twenty-one, from the words "Provided always" to "one shilling."
2 & 3 Vict. c. 11.	The Judgments Act, 1839.	Sections two, three, five, six, eight, and nine, and section four, except so far as it applies to lis pendens.
3 & 4 Vict. c. 82.	The Judgments Act, 1840.	Section two.
18 & 19 Vict. c. 15.	The Judgments Act, 1855.	Section two, from "But no judgment" to the end of the section; section three, except so far as it relates to lis pendens; and sections four to eight.
23 & 24 Vict. c. 38.	The Law of Property Amendment Act, 1860.	Sections one to five.
27 & 28 Vict. c. 112.	The Judgments Act, 1864.	Sections one, two, and three, and, in section four, the words "and whose writ or other process of execution shall be duly registered."
28 & 29 Vict. c. 104.	The Crown Suits, &c. Act, 1865.	Sections forty-eight and forty-nine.
51 & 52 Vict. c. 51.	The Land Charges Registration and Searches Act, 1888.	Proviso (a) of section six.

Land Charges Registration and Searches Act, 1888.

GENERAL RULES.

By virtue and in pursuance of the Land Charges Registration and Searches Act, 1888, I, Hardinge Stanley, Baron Halsbury, Lord High Chancellor of Great Britain, Do make the following General Rules for the purpose of carrying the said Act into effect:—

Rule 1.—The several Registers established by the Act shall contain the following particulars respectively, or such other particulars as the Registrar shall from time to time determine:—

(1) The Register of Writs and Orders shall contain:—

(a) The name, address, and description of the person whose land is affected.

(b) The date and nature of the writ or order, and the court, and the action or matter, by and in which the writ or order was issued or made.

(c) The date of registration, and of any renewal of registration.

(d) The name and address of the applicant or of the solicitor (if any) making the application.

(2) The Register of Deeds of Arrangement shall contain:—

(a) The name, address, and description of the person whose land is affected.

(b) The date of the deed and the names of the parties, provided that where the creditors are numerous it shall not be necessary to specify more than three.

(c) The date of registration.

(d) The name and address of the applicant or of the solicitor (if any) making the application.

(3) The Register of Land Charges shall contain :—

(a) The name, address, and description, and capacity (that is to say, whether (i) beneficially entitled to the first estate of freehold; (ii) tenant on the Court Rolls; or (iii) beneficially entitled to a lease for lives or a life at a rent or for years) of the person in whose name the registration is made.

(b) The date of the charge, the statute under which it is made, and the parish in which the land charged is situated.

(c) The date of registration.

(d) The name and address of the applicant or of the solicitor (if any) making the application.

Rule 2.—Every application for registration shall, unless made by a solicitor, be supported by the statutory declaration of the applicant as to the truth of the particulars set forth in it.

Rule 3.—The alphabetical index shall consist of the Registers themselves, all entries in such Registers being made alphabetically in the manner now used in the Register of Judgments in the Central Office of the High Court of Justice, or in such other manner as the Registrar shall from time determine.

Rule 4.—Applications for registration, searches, (official and otherwise), and official certificates shall be made on, and shall furnish the particulars set forth in, the several forms for those purposes given in the

Schedule* hereto, or in such other forms as the Registrar shall from time to time determine.

Rule 5.—Forms shall be sold at the Office of Land Registry.

Rule 6.—Certificates of official searches shall be marked with the stamp of the Search Department of the Land Registry, and shall be issued as soon as possible after receipt of the applications.

Rule 7.—In any case of modification or cancellation of entries on the Register, such evidence in respect thereof as the Registrar shall from time to time think necessary shall be required.

Rule 8.—These Rules may be cited as the Land Charges Rules, 1889.

HALSBURY, C.

January 1, 1889.

* The Schedule contained forms similar to, but not identical with, those now in use, which latter are given below.

{ *Land Registry Fee,* / *2s. 6d. each Name.* }

FORM 1.—**Application to Register a Writ or Order.**

LAND CHARGES REGISTRATION AND SEARCHES ACT, 1888.

Office of Land Registry.

Ref. No.

Filed for registration day of 19 . By of Solicitor.	A * of the Division. Dated the day of 19 . TITLE OF THE ACTION OR MATTER. *Plaintiff.* *Defendant.*

* Here state nature of writ or order.

NAME(S) OF THE PERSON(S) WHOSE ESTATE(S) IS (ARE) TO BE AFFECTED.

Surname.	Christian Name or Names.	Address.	Title, Trade, or Profession.

{ *Land Registry Fee,* / *2s. 6d. each Name.* }

Form 2.—Application to Register a Deed of Arrangement.

LAND CHARGES REGISTRATION AND SEARCHES ACT, 1888.

Office of Land Registry.

Filed for registration the day of 19 . By of Solicitor.	Date of the deed . PARTIES TO THE DEED.*

* Names only; and, where the creditors are numerous, enter the names of the first three, adding "and others."

NAME(S) OF THE PERSON(S) WHOSE ESTATE(S) IS (ARE) TO BE AFFECTED.

Surname.	Christian Name or Names.	Address.	Title, Trade, or Profession.

{ *Land Registry Fee,* / *2s. 6d. each Name.* }

FORM 3.—Application to Register a Land Charge.

LAND CHARGES REGISTRATION AND SEARCHES ACT, 1888.

Office of Land Registry.

Filed the day of 19 .	A charge upon Lands in the Parish(es) of
By	Dated the day of 19 .
of	By virtue of the statute
Solicitor.	

THE PERSON(S) IN WHOSE NAME(S) THE REGISTRATION IS TO BE MADE.

Surname.	Christian Name.	Address.	Title, Trade, or Profession.	Capacity.*

* Here state whether beneficially entitled to the first estate of freehold, or to a lease for lives or life, or for a term of years, or whether tenant on the Court Rolls of the Manor.

LAND REGISTRY, LAND CHARGES DEPARTMENT.

{ *Land Registry Fee,* 2*s.* 6*d. each Name.* }

Memorandum of an Annuity or Rentcharge.

Filed the day of 19 .	A
By	
Solicitor.	Dated the day of 19 .

NAME [OR NAMES] OF THE PERSON WHOSE ESTATE IS INTENDED TO BE AFFECTED.

Surname.	Christian Name or Names.	Usual or last known Place of Abode.	Title, Trade, or Profession.

Annual Sum or Sums to be paid ..... £

LAND REGISTRY, LAND CHARGES DEPARTMENT.

{ *Land Registry Fee,* *2s. 6d. each Name.* }

Register of Lis Pendens, &c.

Ref. No. .

Filed for registration the

day of 19 .

By

Solicitor.

A Writ of Summons issued out of the Chancery Division.

On the day of 19 .

TITLE OF THE CAUSE.

Plaintiff.

Defendant.

NAME [OR NAMES] OF THE PERSON WHOSE ESTATE IS INTENDED TO BE AFFECTED.

Surname.	Christian Name or Names.	Usual or last known Place of Abode.	Title, Trade or Profession.

LAND REGISTRY, LAND CHARGES DEPARTMENT.

{ *Land Registry Fee,* 1*s. each Name.* }

Re-register of a Lis Pendens, Writ, or Order.

Filed for Re-entry

day of 19 .

By

Solicitor.

A Re-entry of a of the Division.

Dated the day of 19 .

Entered before on the day of 18 .

TITLE OF THE ACTION OR MATTER.

Plaintiff.

Defendant.

NAME (OR NAMES) OF THE PERSON WHOSE ESTATE IS INTENDED TO BE AFFECTED.

Surname.	Christian Name or Names.	Usual or last known Place of Abode.	Title, Trade or Profession.

LAND REGISTRY, LAND CHARGES DEPARTMENT.

{ *Land Registry Fee,* *2s. 6d. each Name.* }

Satisfaction is acknowledged

BETWEEN Plaintiff and Defendant as to a dated the day of 189 , for the sum of £ debt and £ costs, a Memorandum of which said was left in the Registry of Judgments (or "in the Land Registry," as the case may be) on the day of 189 , to affect the estate of . And do hereby expressly nominate and appoint Solicitor to witness and attest the execution of this Acknowledgment of Satisfaction.

SIGNED by the said in the presence of me the undersigned of in the of one of the Solicitors of the Supreme Court of Judicature, and I hereby declare myself to be the Solicitor for and on behalf of the said expressly named by h and attending at h request to inform h of the nature and effect of this Acknowledgment of Satisfaction (which I accordingly did before the same was signed by h). And I also declare that I subscribe my name as a Witness hereto as such Solicitor.

} the above-named Plaintiff the day of 19 .

Filed on the day of 19 .

By of Solicitor.

Form 4.—Declaration in support of an Application to Register.*

I

of

solemnly and sincerely declare that the writ [order, deed, charge], whereof the particulars are set forth in the application for registration thereof, marked "A," and now produced and shown to me, was actually issued [made, executed] at the time and in the manner in the said application mentioned, and that the particulars set forth therein are to the best of my knowledge, information, and belief, true.

And I make this solemn declaration, conscientiously believing the same to be true, by virtue of the provisions of the Statutory Declaration Act, 1835.

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* This form is only to be used when the application to Register is not made by a solicitor (Rule 2).

LAND CHARGES, &c. DEPARTMENT, LAND REGISTRY.

FORM 5.—Application for Official Search.

LAND CHARGES, REGISTRATION AND SEARCHES ACT, 1888, LAND CHARGES ACT, 1900.

Office of Land Registry.

N.B.—For office copy certificate of official search three days' notice is required.

Please search the registers of writs and orders and lis pendens for the period of five years, ending the of , 190 , inclusive, annuities and rent-charges from the 26th of April, 1855, to the of , 190 , inclusive, deeds of arrangement from the 1st of January, 1889, to the of , 190 , inclusive, land charges from the 1st of January, 1889, to the of , 190 , inclusive.

FEES, payable in advance either by Land Registry Stamps, or by Postal or P.O. Orders, payable to Land Registry Stamps:—

	s.	d.
For an official certificate of result of search, including one office copy (in one name)	10	0
For every additional name	3	0
For a continuation search, to be made within one month of date of certificate, including one office copy for each name	2	0
Additional office copies at per folio.	0	3

Surname or Names.	Christian Name or Names.	Address or Addresses.	Titles, Trades, or Professions.*

* If the person against whom the search is to be made has more than one address, title, trade or profession, this may be filled in accordingly.

I (we) declare that the above search(es) is (are) required for the purposes of a sale (mortgage lease) from to .

N.B.—State here if or when office copy certificate is to be called for or sent. In the latter case a stamped and addressed envelope should be left. All communications should be addressed to the "Land Charges Department," Land Registry, 33, Lincoln's Inn Fields, London.

Signature, address and description of the applicant or solicitor.

Dated this day of , 190 .

FEES, payable in advance either by Land Registry Stamps, or by Postal or P.O. Orders :—	
For a continuation search (to be made within one month of date of certificate) for each name	2 0

LAND CHARGES, &C. DEPARTMENT,
LAND REGISTRY.

FORM 8.—Requisition for Continuation of Official Search.

LAND CHARGES REGISTRATION AND SEARCHES ACT, 1888,
LAND CHARGES ACT, 1900.

N.B.—For Office Copy Certificate of Official Search three days' notice is required.

Please continue the search(es) made pursuant to the requisition dated the of 190 , in the name(s) of

down to the of 190 , inclusive.

Signature and address of applicant or solicitor :—

Dated this of 190 .

N.B.—The Certificate of the original search must be forwarded with this application.

NOTE.—State here whether Certificate to be sent by post or to be called for.

In the former case a stamped and addressed envelope should be left.

LAND REGISTRY.

LAND CHARGES REGISTRATION AND SEARCHES ACT, 1888, AND LAND CHARGES ACT, 1900.

Rule as to Fees.

By virtue and in pursuance of the Land Charges Registration and Searches Act, 1888, and the Land Charges Act, 1900, I, Hardinge Stanley, Earl of Halsbury, Lord High Chancellor of Great Britain, with the concurrence of the Lords Commissioners of Her Majesty's Treasury, do hereby annul the Rule as to Fees dated the 1st of January, 1889, made under the first-mentioned Act, and do determine that the following Fees shall be paid under the said Acts:—

	s.	*d.*
Registrations, per name..	2	6
Re-registrations, per name	1	0
Modification or Cancellation of an Entry, per name	2	6
Search (not official), per name	2	0
Official Search (including issue of Certificate), in one name only	10	0
Official Search, for each additional name ..	3	0
Continuation of Official Search (including issue of Certificate), per name	2	0
Office copies, per folio	0	3

The Fees for official searches and continuations thereof include stationer's charges for the official certificate of search and one office copy thereof.

No stationer's charges shall be made in respect of any entry in the register.

All Fees shall be paid by stamps, which shall be sold at the Office of Land Registry and such other places as the Inland Revenue Department may determine.

This Rule shall come into operation on the 1st of September, 1900.

The 8th of August, 1900.

(Signed) HALSBURY, *C.*

The Lords Commissioners of Her Majesty's Treasury approve of the above Order.

(Signed) H. T. ANSTRUTHER.
W. H. FISHER.

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